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**WARREN COUNTY COMMISSIONERS MEETING**

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**WEDNESDAY JANUARY 14, 2019**

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The Warren County Commissioners met for their fourth meeting of the month of January 2019. Present for the meeting were Thomas Hetrick, Adam Hanthorne, Brian Jordan and Jud Barce, County Attorney. Also, in attendance were Jenny Hobaugh, Matt Herndon, John Comer, Brittany Besse, Marci Burton, Jenny Eads, Perry Conrad, Cheryl Clark, Tony Martin, Bob Silver, Neal Austin, Kevin Howard, Mike Shettle, Mike Evans, Derek Holley, Lyn Martin, Burt Etchison, Charity Shettle, Randy Haddock and John Kuiper.

1. The meeting was called to order by Brian Jordan, President of the Commissioners.
2. Brian Jordan led the Pledge of Allegiance.
3. New Business:
  - a. Matt Herndon, Highway Department Superintendent, stated that the highway Department are working on the snow-covered roads. The Gillespie bridge is almost complete, but the weather had interrupted work. Mark Straw inquired about a road closure on north off Third Street and 450W. Jud Barce, County Attorney explained that the road could be petitioned to close the road and will be subject to current easements. Matt Herndon explained that the road is not on the temporarily closed road list. It was suggested that Straw have his attorney look into the closure petition.
  - b. Tom Hetrick made a motion to approve the January 2 and January 7, 2019 Commissioner meetings minutes and January 7, 2019 Executive meeting with a second from Adam Hanthorne, all voted in favor and the minutes were signed.
  - c. Adam Hanthorne made a motion to approve the January 2, 2019 thru January 14, 2019 Accounts Payable Claim Dockets with a second from Tom Hetrick, all voted in favor and the claim dockets were signed.
  - b. Adam Hanthorne made a motion to approve the January 4, 2019 payroll dockets with a second from Tom Hetrick, all voted in favor and the payroll dockets were signed.
  - c. Board of Zoning Appeals appointment was updated by John Kuiper, Zoning Director due to the resignation of Kathy Poole. Kuiper asked for recommendations. Kuiper presented at the next Commissioner Meeting.
  - d. Bob Hanuska, County Resident, came before the Board concerning the breaching of a ditch along his property. Hanuska stated that the ditch breaches into his yard. Hanuska additionally stated that Mr. Hetrick had discussed this issue with him prior to this meeting and he would like a resolution. Hetrick stated that he will meet with Mr. Hanuska concerning this ditch.
  - e. Pete Franzman, Franzman Insurance Agency, addressed the Board concerning the health insurance consulting for the County. Franzman stated that his insurance agency works with many counties and he would be interested in reviewing the County health insurance for possibly of saving funds. Franzman will present information to the Commissioners in March after a review has been conducted and quote the County for this service. Franzman asked for a letter from the Commissioners to release information from SIHO. Jordan stated that the Commissioners will take this under advisement.
  - f. Emergency Medical Services, Bryan Lanham and Mitch Donis, presented a breakdown of the ambulance run volume as well as the income and revenue statement. Lanham and Donis explained the spreadsheets in detail to the Commissioners. Donis explained that the income is approximately \$0.24/dollar billed, but this will decrease in the coming year. Hanthorne inquired about a private billing. Donis explained that that has been looked into, but the billing contracts with insurance companies are through Ascension. The breakdown of Administration costs is 4% of the hospital business. This includes billing, housekeeping, medical direction, etc. Lanham and Donis will present the next quarterly report at the April meeting. Donis explained that the staffing has improved over the last few months. Hetrick stated that this is the best report he has seen from the EMS in the 19 years has been in office.
  - g. Redevelopment Commission Board Appointments. Jordan explained the TIF districts and the Redevelopment Commission Board duties and creation. Presently there are 3 appointment by the Commissioners. The three that are being presented for appointment to the Board are Miles Stucky, Gene Fowler and Ethan Foxworthy. Adam Hanthorne made a motion to appoint Miles Stucky, Gene Fowler and Ethan Foxworthy to the Board with a second from Tom Hetrick, all voted in favor.
  - h. The Sharecrop Lease was discussed. The Commissioners decided to have a 3-year lease. Tom Hetrick had a suggestion of changing #3 stating that the County will sell  $\frac{1}{2}$  separately or agreement with Lessee at the time. Additionally, #4C Lessee acts as farm manager, Hetrick would like to have Lessee consult with the Commissioners. Then #4G should be limited power of attorney rather than power of attorney. Jud stated that the ASC has specific power of attorney documents that state programs that the POA will cover so change to "with programs as determined by mutual agreement." As well as the lime change to prorated over a 5-year basis, item #4L change to mow twice per year, #4D omit. Hetrick inquired about the newspaper advertising. Barce stated that the parcel numbers and approximate acreage can be put in the AD, but it must be in the newspaper. Discussion on timeline was had. Decision to have in the newspaper for 2 weeks and have applications due in by February 19<sup>th</sup> and decision at the March 4<sup>th</sup> meeting. Tom Hetrick made a motion to place the AD in the newspaper for the Sharecrop Lease for 2 weeks with a second from Adam Hanthorne, all voted in favor.
  - i. Tom Hetrick made a motion to change the February 4<sup>th</sup> meeting to February 5<sup>th</sup> at 6:30 p.m. with a second from Adam Hanthorne, all voted in favor.
  - j. Tom Hetrick inquired about the Health Insurance Consulting contract. Hetrick stated that First Person has been in contract with us since 2014 and is requesting to terminate the contract with 60 days' notice. Tom Hetrick made a motion to give 60-day notice terminating the contract with a second from Adam Hanthorne, all voted in favor. Jordan suggested having a health committee to oversee the contracts for Health Insurance. Barce questioned if the committee will meet prior to a Commissioner Meeting. Jordan stated that this will be an excellent step.
  - k. The Warren Agency, Mike Kay and Lee Kay, presented the 2019 property liability insurance quotes. Lee Kay explained that there is an increase of less than 1% approximately overall. Mike Kay explained the insurance overall to the Commissioners. Hetrick suggested reviewing the insurance policy until the next Commissioner Meeting.

1. Wind Turbine Setbacks was discussed. Adam Hanthorne explained the information that he has researched. Hanthorne explained he has researched the safety concerns that residents have presented to him. The last discussion was in April 2018 and he would like to discuss the concerns of health, safety and public welfare for the County. Hanthorne read a portion of the request that was presented in April 2018 concerning the setbacks. Kuiper explained that the Area Plan Commission had a public meeting concerning the setbacks in 2018. Further, Kuiper stated that the Commissioners can change the windmill ordinance for future projects. Kuiper explained the windmill process that took place beginning in 2012. Jud explained that a zoning ordinance can be changed, but must go through the Area Plan Commission and the Commissioners can recommend so that the public can be aware. Burt Etchison, County Resident, inquired if the Commissioners would like the original request to be read. Hetrick stated that clarify that the first development of the windmills is a done deal and this request is to make a change for the future. Jud stated that the Wind Company could agree to the change, but likely the change would need to be defined to the Wind Company. Charity Shettle, County Resident, inquired from Kuiper about the meetings and the proceedings. Shettle stated that the APC is not appropriately doing their duty. Bob Silver, County Resident, stated that the information was provided from the BZA and APC to the public, but residents did not attend the meetings. Barry Conrad, County Resident, commented that there were landowner meetings that he was unaware of as well. Kuiper stated that the public hearings were posted in the newspaper. Burt Etchison read the ordinance change request from April 2018 which stated that the setbacks do not allow people to build on their own property within the setback, the measured setback changed to 2,500 feet, possibly multiple of the height of windmill and return the sound parameters back to the original ordinance. Jordan inquired about the 90 days to change the zoning codes from Barce. Kuiper asked for anyone in attendance that would like to be a member of the BZA, please contact Kuiper. Kevin Howard, County Resident, inquired about the authority of the Wind Company to change the contract and prevent this in the future. Jud the Wind Company needs to be notified as well as the public. Jud explained the verbiage in the contract concerning the County is so that the Wind Company can reassign or sell the rights but the contract does not change. Shettle inquired about the notification. Barce the notification is defined in the contract. Bob Silver stated that the disagreements have been very polite and courteous. Neal Austin, County Resident, stated that this has created issues with neighbors. Brian Jordan asked for all in attendance to sign stating they attended the meeting. Adam Hanthorne made a motion requesting the APC to review the zoning ordinance change request concerning the 4 items presented with a second from Tom Hetrick, all voted in favor. Hetrick clarified to the public that this opens the discussion in the public so that all will have an opportunity to speak, but will be voted on. Kuiper stated that this will be a public meeting with the APC on the 3<sup>rd</sup> Tuesday in February. Barce prepare a notice for the wind company, Commissioners, as well as the APC. Tony Martin, County Resident, stated that the majority of the residents in the area effected are against the wind project.

4. Elected Official/Department Head comments:

- a. Rusty Hart, Sheriff, presented the Sheriff Department annual report for 2018. The report was explained in detail. The Jail budget returned \$45,744.00 to the county general fund that was unused. The maintenance is facilitated by the staff. The population report reflects an increase as well as the warrant increase. There were 37 DOC holds and this will be increased from other County facilities in the future. The major medical for the holds are the County facility we are holding for responsibility. The facility that we hold for pays the County \$35.00 per day. Average daily population is 15.6 for 2018. Hart explained the run volume and calls for service numbers. The revenue was explained in detail. The gas mileage is average 13 miles per gallon. Returned \$26,266.67 to the county general fund from the unused Sheriff budget. Hart encouraged one Commissioner to attend the 911 Board meetings that are held quarterly in Fountain County. Fountain County had originally requested an update of the CAD program software update. Hart called the current company and they will update the software this week. The Emergency Management board is chaired by Hart and he is requesting a Commissioner to attend as well. Adam Hanthorne stated that he will attend the meetings for the Commissioners.
- b. Randy Haddock, Surveyor, inquired about the drainage board meeting after the Commissioner meeting.
- c. Tom Hetrick proposed an ordinance that was prepared by Barce concerning that will need to be in 2 different meetings. States that the Commissioners will meet a month before the council with the department heads. Hetrick stated that his intention was not to cut the budget prior to the Council only for the Commissioners to review one month prior. This will not take 2 days, but only take 10-15 mins per office holders budgets reviewed by Commissioners in 1-2 days. The Commissioners have a better <sup>meeting with department heads to review budgets</sup> report with the office holders so that they know what is going on in the courthouse, highway, etc. As a Commissioner he has never stuck his nose in the door asking what is going on. If there is a problem with an office that is presented to him, he will help resolve. The budget meeting with the commissioners, he thinks, will help with the <sup>report</sup> of the office holders. The Commissioners will have firsthand knowledge of the offices and input on what happens in the offices. The argument that it takes valuable time is silly. The Commissioners can give a recommendation to the Council and have a united voice to the Council. The Commissioners need to remain a separate branch of government and the Council a separate branch. Hetrick is requesting the ordinance to be read at 2 meetings and then vote. Barce stated that as this is not on the agenda, this meeting will not count as 1 of the 2 meetings. Barce further explained that the agenda would need to be motioned for change at the beginning of a meeting. Tom Hetrick made a motion to amend the agenda. Adam Hanthorne inquired about the legality of amending an agenda. Barce explained that the agenda can amended with a motion at the beginning of the meeting either approve the agenda or change after the pledge. Tom Hetrick withdrew his motion.
- d. Hetrick clarified the schedule for the farm contracts. Barce stated that the bids/resumes will be accepted until February 19, 2019 and opened at the March 4, 2019 meeting.
- e. Barce explained the transparency of the Commissioner comments when not in a meeting. The communications need to be during meetings for the public. All information concerning the counties business needs to be in the public meeting. Work sessions do not require public notice and can only be on administrative matters that directly supports the legislative function of the Commissioners. For example, working on a budget can be a work session, employment policies in a handbook. No decisions can be made. Hetrick questioned talking to the highway department. Barce stated it could be a work session meeting. Jordan inquired about having 2 or more Commissioners at a meeting. Barce stated that it is not a coordinated meeting so that will be fine. Any meeting that 2 or more will be attending then the meeting will need to be posted. Barce explained that Executive Session attend by invitation only, even Commissioners. Hetrick questioned the email that he addressed the Council and Commissioners. Barce explained that sending from a personal email address rather


<sup>an open records</sup>  
~~than a business email allows the personal email to be part of a request. All County business should be through the county email only.~~

5. Public Comment:

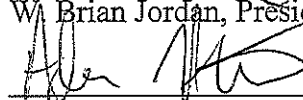
Next Commissioner will be held February 5, 2019 at 6:30 p.m.

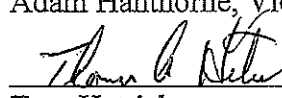
There being no further business Tom Hetrick made a motion to adjourn with a second from Adam Hanthorne, all voted in favor.

ATTEST:

  
Robin Weston-Hubner, Auditor

  
W. Brian Jordan, President

  
Adam Hanthorne, Vice President

  
Tom Hetrick